

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 05, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,  
v.

CARLOS REYES-SANTANA,  
EDUARDO REYES-SANTANA, ROSA  
MARTINEZ-RODRIGUEZ, and MOLLY  
MARGARET BROWN,  
Defendants.

Nos. 4:21-CR-06022-SAB-1  
4:21-CR-06022-SAB-2  
4:21-CR-06022-SAB-3  
4:21-CR-06022-SAB-4

**ORDER GRANTING MOTION  
TO CONTINUE PRE-TRIAL  
CONFERENCE AND TRIAL  
DATES**

Before the Court are Defendant Molly Margaret Brown's Motion to Continue Pre-Trial and Trial, ECF No. 107, and Defendant Carlos Reyes-Santana's Motion to Join, ECF No. 115. The motions were considered without oral argument.

The parties move the Court to continue the pre-trial conference and trial dates in this action. The request is based in part on the voluminous discovery that has yet to be reviewed and the need for additional time to prepare the case for trial. ECF No. 107 at 2. Defendants Eduardo Reyes-Santana, Rosa Martinez-Rodriguez,

1 and Molly Margaret Brown submitted waivers of speedy trial to exclude time  
2 between the present trial date until February 28, 2022. ECF Nos. 108, 112, 114.

3 Good cause exists to continue the pre-trial conference and trial dates. The  
4 Court finds that the ends of justice served by such a continuance outweigh the  
5 public's and Defendants' interest in a speedy trial.

6 Accordingly, **IT IS HEREBY ORDERED:**

7 1. Defendant Molly Margaret Brown's Motion to Continue Pre-Trial and  
8 Trial, ECF No. 107, is **GRANTED**.

9 2. Defendant Carol Reyes-Santana's Motion to Join Co-Defendant  
10 Brown's Motion to Continue Pretrial and Trial, ECF No. 115, is **GRANTED**.

11 3. The current trial date of October 25, 2021, is **STRICKEN** and  
12 **RESET** for **February 22, 2022 at 9:00 a.m.** commencing with a final pretrial  
13 conference at **8:30 a.m.** The trial shall take place in **Richland**, Washington.

14 4. The pretrial conference set for October 6, 2021 is **STRICKEN** and  
15 **RESET** for **February 9, 2022 at 10:00 a.m.** in **Yakima**, Washington. Counsel  
16 shall advise the Court regarding any dispositive change in the status of this case **at**  
17 **least five (5) days prior to the pretrial conference**. Any motion to continue the  
18 pretrial conference or trial shall be filed at the earliest practicable opportunity, but  
19 no later than **seven (7) days prior to said proceeding**. Movant shall provide (1)  
20 specific and detailed reasons for the continuance to permit the Court to make the  
21 necessary findings; (2) if applicable, the Defendant's signed Speedy Trial Waiver;  
22 (3) the position of opposing counsel; and (4) the proposed new date. Continuances  
23 are not granted absent good cause.

24 5. All pretrial motions, including motions *in limine* and *Daubert*  
25 motions, shall be filed on or before **January 12, 2022** and noted for hearing at the  
26 pretrial conference. Any response to a pretrial motion shall be filed and served in  
27 accordance with Local Rule 7.1.

1           6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between October 25,  
2 2021, the current trial date, until February 22, 2022, the new trial date, is  
3 **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy  
4 Trial Act. The Court finds that the ends of justice served by such a continuance  
5 outweigh the public's and Defendants' interest in a speedy trial.

6           7. Defendants **shall** submit a signed Speedy Trial Waiver within  
7 **fourteen (14) days** of this Order.

8           8. Trial briefs, proposed voir dire, jury instructions, verdict forms,  
9 exhibit lists, expert witness lists, and summaries of expert testimony shall be filed  
10 and served by all parties **on or before seven (7) calendar days** prior to trial. This  
11 does not modify the parties' discovery obligations under Fed. R. Crim. P. 16.  
12 Absent an agreement between the parties or an Order from the Court, the parties'  
13 Fed. R. Crim. P. 16 discovery deadlines shall be governed by Local Criminal Rule  
14 16.

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1           9. Under federal law, including Rule 5(f) of the Federal Rules of  
2 Criminal Procedure, *Brady v. Maryland*, 373 U.S. 83 (1963), and all applicable  
3 decisions from the Supreme Court and the Ninth Circuit interpreting *Brady*, the  
4 government has a continuing obligation to produce all information or evidence  
5 known to the government relating to guilt or punishment that might reasonably be  
6 considered favorable to the defendants' cases, even if the evidence is not  
7 admissible, so long as it is reasonably likely to lead to admissible evidence. *See*  
8 *United States v. Price*, 566 F.3d 900, 913 n.14 (9th Cir. 2009). Accordingly, the  
9 Court **orders** the government to produce to the defendants in a timely manner all  
10 such information or evidence.

11           **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
12 enter this Order and furnish copies to counsel.

13           **DATED** this 5th day of October 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

19           Stanley A. Bastian  
20 Chief United States District Judge  
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